

Docket No.: 564462001822/029006/DIVER1370-7

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 872-9308, on the date shown below.

Dated: 9/16/04

Signature:

(Jeanne Amour)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Jay SHORT

Application No. 09/866,379

Filed: May 24, 2001

For: RECOMBINANT BACTERIAL PHYTASES  
AND USES THEREOF

Confirmation No.: 4596

Art Unit: 1652

Examiner: D. Ramirez

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REVOCATION AND NEW POWER OF ATTORNEY**

Dear Sir:

Under 37 CFR §3.73(b) DIVERSA CORPORATION, a Delaware corporation, certifies that it is the assignee of 100% of the right, title and interest in the patent application above by virtue of an Assignment from the inventors of the patent application no. 09/866,379, which was recorded in the Patent and Trademark Office at Reel 012570, Frame 0142 on January 30, 2002.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the Assignee identified above.

The undersigned, whose title is supplied below, is empowered to act on behalf of the assignee.

The undersigned, acting on behalf of the assignee, hereby revokes all powers of attorney

1

sd-194126

BEST AVAILABLE COPY

Docket No.: 564462001822/029006/DIVER1370-7

previously granted in the application and appoints the practitioners at Customer Number 25225, with full power of substitution and revocation, to prosecute the application and to transact all business in the United States Patent and Trademark Office connected therewith.

All correspondence regarding the application should be sent to:


PTO Customer Number 25225  
Gregory P. Einhorn, Esq., Reg. No. 38,440  
Morrison & Foerster LLP  
3811 Valley Centre Drive, Suite 500  
San Diego, California 92130  
(858) 720-5133

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Respectfully submitted,

Date: \_\_\_\_\_

4/15/04

  
Carolyn Erickson  
Vice President, Intellectual Property